



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1057

H.P. 780

House of Representatives, March 5, 2019

An Act To Streamline the Eviction Process

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative WADSWORTH of Hiram.
Cosponsored by Representative: ARATA of New Gloucester.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 14 MRSA §6005, first ¶**, as amended by PL 1999, c. 248, §3, is further
3 amended to read:

4 When the defendant is defaulted or fails to show sufficient cause, judgment must be
5 rendered against the defendant by the District Court for possession of the premises.
6 Seven calendar days after the judgment is entered, the court shall issue the writ of
7 possession to remove the defendant. The writ may be served by a sheriff or a constable.
8 If at least 3 2 good faith efforts on 3 2 different days have been made to serve the
9 defendant, service may be accomplished by both mailing the notice by first-class mail to
10 the defendant's last known address and leaving the writ of possession at the defendant's
11 last and usual place of abode. A writ of possession may not issue in any case in which
12 the ground for termination of the tenancy at will was rent arrearage and the defendant
13 paid the amount necessary to reinstate the tenancy as provided by section 6002.

14 **SUMMARY**

15 Current law requires that a sheriff or constable serving a writ of possession in an
16 eviction must make 3 good faith efforts on 3 different days to serve the defendant in
17 person before the writ of possession may be left at the defendant's home and a notice
18 mailed. This bill reduces the number of efforts required to 2.